

PATENT
Docket No. EPI-019-1C US
7034323001

REMARKS

By this amendment, claims 1, 5, 8-10, 20, 22, and 32 have been amended. Claims 1-17, 20-22, and 31-32 are currently pending and subject to Examination. In the Office Action dated October 18, 2005, claims 8-9 and 32 were objected to; claims 1-17, 21-22, and 31-32 were rejected under 35 U.S.C. § 112, second paragraph; and claims 1-17, 21-22, and 31-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,044,205 to Reed et al. ("Reed").

Claims 8-9 and 32 were objected to due to certain informalities. These claims have been amended to overcome the objection. Accordingly, withdrawal of the objection to the claims is respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. § 112

Claims 1-17, 21-22, and 31-32 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In particular, claims 5 and 22 were rejected as containing terms that lack proper antecedent basis. Claims 5, 20, and 22 have been amended to overcome this rejection.

Regarding claim 1, the Office Action states that "it is uncertain when is the step of 'sending the information object across the network to the computer process performed (i.e. in response to a request or automatically)'" Applicants note that sending the information object across the network could be performed, for example, in response to a request, as described on page 19, lines 25-33 and elsewhere in the Specification; or could be performed, for example, automatically, as described on page 24, lines 24-32, page 27, lines 25-31, and elsewhere in the

PATENT
Docket No. EPI-019-1C US
7034323001

Specification. As this step could therefore be performed in a variety of ways, it is respectfully submitted that the language of claim 1 is clear in describing multiple implementations.

Further with respect to claim 1, the Office Action states that "it is uncertain when is the step of 'using the provider process to modify one or more of the attributes of the information object' performed.'" Claim 1 has been amended to overcome this rejection.

Regarding claim 5, the Office Action states that "it is uncertain what is 'the attributes' refer to (i.e. plurality of attributes or the modified attributes)." Applicants note that claim 5 contains the limitation "formulate a relational criterion based on the attributes of the information object," and notes that the plurality of attributes of the information object could, at various times, include original attributes and/or modified attributes. As the "plurality of attributes" (or simply "attributes") described in claim 1 could include any combination of original attributes and/or modified attributes, and as claim 5 depends upon claim 1, the term "the attributes" as recited in claim 5 is clear in pointing out that any of these combinations may be used.

Regarding claim 31, the Office Action states that "it is uncertain how is the step of 'transferring at least a portion of each identified information objects from the internet to the first computer (i.e. base on what standard or criteria).'" Applicants note that transferring a portion of each identified information object could be performed in any number of ways, including without limitation, transferring the entire information object, transferring modified portions of the information object, transferring portions of the information object based on a request, transferring portions of the information object based on the specified relational

PATENT
Docket No. EPI-019-1C US
7034323001

criteria, and the like. As this step could therefore be performed in a variety of ways, it is respectfully submitted that the language of claim 1 is clear in describing multiple implementations.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-17, 20-22, and 31-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Reed. This rejection is respectfully traversed, as follows.

Regarding claim 1, the Office Action states that Reed teaches sending the one or more modified attributes of the communication object across the network to the consumer process and synchronizing the second instance of the information object based on the one or more modified attributes. However, Applicants note that the passages cited in the Office Action recite "The user can edit the association of a page subscription instance 122 with communications object instance 110... The PageSubscription method is executed by consumer program 22 when the consumer edits instances of page subscription elements 122. The PageSubscription method returns a response method to the provider program 12 containing a new value of the SubscribeFlag attribute for each page subscription 122 as selected by the consumer. The provider program 12 then executes a corresponding PageSubscriptionResponse method which uses the contents of the message to update the recipient's page subscription instances 122" (Reed, col. 28, lines 16-17 and 44-53).

In contrast, amended claim 1 recites the limitation "sending the one or more modified attributes of the information object across the network to the consumer process." As discussed

PATENT
Docket No. EPI-019-1C US
7034323001

above, Reed does not teach modified attributes of an information object. Reed rather teaches "editing the *association* of a page subscription instance 122 with communications object instance 110" and "editing instances of *page subscription elements* 122." As shown in Figure 3 of Reed, page subscription instances 122 and page subscription elements are distinct from communications objects 110." Therefore, Reed neither teaches or suggests "modified attributes of the information object," as recited in claim 1.

In addition, Reed teaches that "the *consumer edits* instances of page subscription elements 122. The PageSubscription method *returns a response method to the provider* program 12." Thus, Reed neither teaches or suggests "sending the one or more modified attributes of the information object across the network *to the consumer process*," as recited in amended claim 1.

Furthermore, amended claim 1 recites the limitations "the information object resides on a first storage device accessed by a provider process," "storing the information object in a second storage device as a second instance of the information object," and "synchronizing the second instance of the information object based on the one or more modified attributes." As discussed above, Reed teaches that "the user can edit the association of a page subscription instance 122 with communications object instance 110... The PageSubscription method is executed by consumer program 22... The PageSubscription method returns a response method to the provider program 12... The provider program 12 then executes a corresponding PageSubscriptionResponse method which uses the contents of the message to update the recipient's page subscription instances 122." Therefore, the response message is sent from the

PATENT
Docket No. EPI-019-1C US
7034323001

consumer program to the provider program, and used by the provider program to update local information. Therefore, Reed does not teach or suggest "synchronizing *the second instance* of the information object based on the one or more modified attributes," as recited in claim 1 of the present invention.

Regarding claim 20, the Office Action states that Reed teaches substantially the invention of claim 20. Applicants respectfully disagree. The passages of Reed cited in the Office Action recite "Communications objects are the core data structure transmitted from the provide program to the consumer program to control communications between the provider and consumer. Recipients include all the consumers who receive a copy of the communications object via push distribution, or the distribution servers who receive a copy of the communications object for pull distribution... The type definitions class is used together with the elements and pages classes to specify the attributes of the communications object" (Reed col. 13, lines 34-46). Reed further describes that "Communications objects 110 are the highest level data structure because they serve as the container for type definitions, elements, pages, and methods. A type definition 143... must be assigned to an object 110 in order to be transferred to a consumer, however, each type definition... may be included in more than one object 110" (Reed col. 16 lines 55-63).

In contrast, amended claim 20 recites the limitations "wherein the data definition resides on a first storage device accessed by a provider process executing on a first processor" and "wherein an information object associated with the data definition resides in a second storage device accessed by a first consumer process executing on a second processor." Reed

PATENT
Docket No. EPI-019-1C US
7034323001

describes that type definitions are "*included in*... object 110 and "*consumers receive a copy of the communications object.*" Therefore, Reed teaches only that type definitions are included within communications objects, and that consumers receive copies of communications objects. Reed does not teach that "*the data definition resides on a first storage device*" and "*an information object associated with the data definition resides in a second storage device.*"

In addition, amended claim 20 recites the limitations "*using the provider process to change at least one attribute of the data definition*" and "*propagating at least one of the changed attributes of the data definition across the network.*" Notwithstanding the assertions in the Office Action, Applicants can find no suggestion that these steps are taught or suggested by Reed. The passages cited by the Office Action relate to "*creating and editing instances in the provider database of the object classes*" (col. 21, lines 11-12), a user "*editing the association of a page subscription instance 122 with a communications object 100*" (col. 28, lines 16-18), and "*the desired page subscription elements and the method necessary to process them [being] transmitted in communications object instance to the consumer.*" Nowhere does Reed teach or suggest changing "*at least one attribute of the data definition*" or "*propagating at least one of the changed attributes of the data definition.*"

In addition, amended claim 20 recites the limitation "*using the first consumer process to access the information object residing in the second storage device according to at least one of the changed attributes of the data definition.*" As Reed does not disclose or suggest changing attributes of the data definition, Reed cannot disclose or suggest accessing an

PATENT
Docket No. EPI-019-1C US
7034323001

information object according to these changed attributes. Accordingly, claim 20 is patentable over the art of record.

Regarding claim 31, the Office Action states that Reed teaches substantially the invention of the claim. The passages of Reed cited by the Office Action relate to using "Universal Resource Locator (URL) requests to retrieve information from the provider and consumer programs and databases...The consumer program processes the URL request to determine whether it refers to a document or a method...the consumer program generates the new HTML page and sends it to the Web browser program" (col. 11, line 2 - col. 12, line 2). Further passages cited by the Office Action relate to "operations for processing communications object instances 110" including "determining whether the object already exists in the consumer database" and processing the object "as a new object" if appropriate.

In contrast, claim 31 recites the limitations "means for accepting signals from the user input device to specify a relational condition using one or more of the attributes" and "means for using the processor to transfer an indication to the Internet of the specified relational condition." Reed teaches only "*URL requests to retrieve information*" and that "the consumer program processes the URL request." Nowhere does Reed teach or suggest "*specifying a relational condition using one or more of the attributes*" or transferring "an indication to the Internet of the specified relational condition," as recited in claim 31.

Furthermore, claim 31 recites the limitation "means for identifying one or more information objects satisfying the relational condition." Reed teaches only determining whether a received object exists in a database, and processing the received object "as a new

PATENT
Docket No. EPI-019-1C US
7034323001

object." Nowhere does Reed teach or suggest "means for identifying one or more information objects *satisfying the relational condition*" as recited in claim 31. Accordingly, claim 31 is patentable over the art of record.

Claims 2-17, 21-22, and 32 are dependent claims that depend from independent claims 1, 20, and 31, respectively. As claims 1, 20, and 31 are patentable, so dependent claims 2-17, 21-22, and 32 are patentable for at least those reasons described above.


PATENT
Docket No. EPI-019-1C US
7034323001

CONCLUSION

Applicants respectfully request that the foregoing amendments be entered before examination of the above-captioned application. If the Examiner has any questions or comments regarding this amendment, the Examiner is respectfully requested to contact the undersigned at the number listed below.

DATE: February 21, 2006

Respectfully submitted,

By: 
Sarah E. Stahnke
Registration No. 54,854

Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111
Telephone: (650) 849-4400
Telefax: (650) 849-4800

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☒ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER: _____**

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.